

Courtroom Minute Entry

Room: Beckley
Caption: Lowe v. Frame, et al.

Case No.: 2:25-cv-272
Judge: Omar Aboulhosn

Type: Motions Hearing

Started: 7/8/2025 2:55:38 PM
Ends: 7/8/2025 3:33:47 PM **Length:** 00:38:10

2:56:49 PM Judge Omar Aboulhosn
2:56:52 PM Courtroom Deputy Tammy Davis
2:56:53 PM Court Reporter: Court Smart
2:56:55 PM Law Clerk: Heather Kropac
2:57:04 PM Counsel for Plaintiff Lesley Marie Nash
2:57:15 PM Counsel for Defendant Jonathan M. Calhoun
2:57:16 PM Counsel for Secretary Michael Caruso Gail Lipscomb
2:59:59 PM **PLAINTIFF'S MOTION FOR ORDER FACILITATE THE RELEASE OF RECORDS IN RELATED MENTAL HYGIENE CASE**
3:00:01 PM **(ECF 46) VIA TEAMS VIDEOCONFERENCE**
3:03:27 PM Judge Omar Aboulhosn calls case.
3:04:03 PM Attorney Lesley Nash addresses the Court.
3:05:11 PM Judge Omar Aboulhosn
3:05:14 PM Discusses what happened at the Final Hearing.
3:05:35 PM Attorney Gail V. Lipscomb addresses the Court.
3:07:15 PM Judge Omar Aboulhosn
3:07:18 PM That is the problem. That he has not been taken to a jail. That is beyond me.
3:07:31 PM I have read the pleadings and the opposition.
3:07:39 PM Counsel should be able to have - he is the respondent.
3:07:51 PM He has counsel in state court and federal court.
3:08:02 PM I would like to examine the records in camera.
3:08:18 PM We are talking about is giving the records to the defendant and his representatives.
3:08:51 PM How do I get those records?
3:09:03 PM Attorney Lesley Nash addresses the Court.
3:10:15 PM Attorney Gail V. Lipscomb addresses the Court.
3:18:12 PM Judge Omar Aboulhosn
3:18:27 PM He certainly has a right to have a record for all proceedings - he is entitled to those.
3:18:54 PM And we should get them to him forthwith.
3:19:03 PM Attorney Gail V. Lipscomb addresses the Court.
3:19:55 PM Judge Omar Aboulhosn
3:19:58 PM Lets cut to the chase. I want all the records, and I'll decide what to do with them.
3:20:14 PM How do I get them?
3:20:18 PM Attorney Gail V. Lipscomb addresses the Court.
3:20:31 PM Judge Omar Aboulhosn
3:20:34 PM Have an Order prepared for me to execute that state court should produce transcripts
3:20:49 PM and I can review them in camera and decide whether they will be disclosed.
3:21:03 PM Attorney Gail V. Lipscomb addresses the Court.
3:21:58 PM Judge Omar Aboulhosn
3:22:02 PM I think we are going to long way around.
3:22:20 PM Attorney Gail V. Lipscomb addresses the Court.
3:23:35 PM Judge Omar Aboulhosn
3:23:38 PM Gives counsel an example.
3:24:38 PM Attorney Gail V. Lipscomb addresses the Court.
3:25:53 PM Judge Omar Aboulhosn
3:25:59 PM How do I get those records?
3:26:13 PM Attorney Gail V. Lipscomb addresses the Court.
3:27:22 PM Attorney Lesley Nash addresses the Court.
3:28:24 PM Judge Omar Aboulhosn
3:28:27 PM I fully appreciate the distinction.
3:28:45 PM I want the transcripts and the records.
3:28:53 PM Attorney Jonathan Calhoun addresses the Court.
3:29:40 PM Judge Omar Aboulhosn
3:29:44 PM Ms. Nash, how about you prepare the Order for transcripts and records, and I will enter an Order to

3:30:10 PM disclose to me in camera.
3:30:41 PM I would want that to be expeditiously done.
3:31:04 PM You can email that proposed Order it to me and my law clerk.
3:31:36 PM For in camera review.
3:32:10 PM Attorney Gail V. Lipscomb addresses the Court.
3:32:19 PM Judge Omar Aboulhosen
3:32:21 PM Get it to me and then we'll go from there.
3:32:30 PM I may file it under seal.
3:33:16 PM Is there anything else to take care of at this time?
3:33:40 PM Hearing adjourned.